

12/07/01
J1133 U.S. PRO

PATENT
ATTORNEY DOCKET NO.: 053529-5005-US

JC835 U.S. PRO
10/005907
12/07/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Karl **NOCKA**, Gregory **PIROZZI** and Richard **EINSTEIN**

For: **NOVEL GENES ASSOCIATED WITH ALLERGIC HYPERSENSITIVITY
AND MASS CELL ACTIVATION**

1. This is a new Utility patent application.
2. The papers enclosed to obtain a filing date are as follows:

66 Pages of Specification including
8 Pages of Claims
1 Page of Abstract
25 Pages of Sequence Listing
29 Sheets of drawings containing 29 Figures
 The enclosed drawings are photographs, and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney



Enclosed and is executed by all inventors

Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of
the time set for filing the Declaration and paying the filing fees.

4. Language

English

Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

Priority of the following foreign application is claimed:

Country	Application No.	Filed

Certified copy: is attached. will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/251,835	December 8, 2000
60/275,479	March 14, 2001
60/279,115	March 28, 2001
60/280,143	April 2, 2001

8. Small entity status

Applicant(s) hereby assert(s) small entity status under 37 C.F.R. § 1.27.

9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee
				Utility \$740.00 Design \$330.00
				BASIC FEE
Total Claims (37 C.F.R. §1.16(c))	- 20 =		18.00	
Independent Claims (37 C.F.R. §1.16(b))	- 3 =		84.00	
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			280.00	
				SUB-TOTAL =
				Reduction by 1/2 for filing by a small entity
				TOTAL FILING FEE =

10. Fee Payment

- Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
- Enclosed.
A check in the amount of \$____ representing the basic filing fee of \$740.00 and an assignment recording fee of \$40.00 is enclosed

11. **Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).**

12. Additional papers enclosed:

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449, _____ document included
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Michael S. Toscan
Michael S. Toscan

Reg. No. 43,210

for F. Pierre VanderVegt, Ph.D.
Reg. No. P-49,088

Dated: December 7, 2001

Customer No. 09629

MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, NW
Washington, D.C. 20036
(202) 467-7000

PATENT
ATTORNEY DOCKET NO. 53529-5005-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
K. NOCKA *et al.*)
Application No.: Unassigned) Group Art Unit: Unassigned
Filed: December 7, 2001) Examiner: Unassigned
For: **NOVEL GENES ASSOCIATED WITH**)
ALLERGIC HYPERSENSITIVITY AND)
MAST CELL ACTIVATION)

Box Sequence

Commissioner for Patents
Washington, D.C. 20231

STATEMENT ACCOMPANYING SEQUENCE LISTING

Dear Sir:

The undersigned hereby states upon information and belief that the information recorded on the diskette submitted concurrently herewith is identical to the written Sequence Listing submitted herewith.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: December 7, 2001

By: F. Pierre VanderVegt
F. Pierre VanderVegt

Customer No. 009629
MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, NW
Washington, D.C. 20036
Tel: 202-467-7000
Fax: 202-467-7258